HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.4819 of 2007

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Between:

B. Nachiketh …Petitioner.

And

State of Andhra Pradesh,
represented by its Chief Secretary to Government
of Andhra Pradesh, Hyderabad and others.
….Respondents.

:: O R D E R ::

Counsel for the petitioner : Sri B. Nachiketh,
Party-in-person

9th March, 2007

Per G.S. SINGHVI, C.J.

This petition filed by Sri B. Nachiketh in the name of public interest litigation for issue of a mandamus to the respondents to provide facilities like drinking water, sanitation, beds, spittoons, benches, chairs, medicines, C.T. Scan, X-Ray etc. in all government hospitals, can appropriately be termed as a publicity interest litigation, which does not deserve to be entertained.

In the affidavit filed by him, the petitioner has generally referred to

the unhygienic conditions and lack of facilities for the patients in Gandhi Hospital, Musheerabad. He has alleged that laboratories of the hospital are not fully equipped, sufficient number of beds are not available and above all, the behaviour of the private security guards/staff/ward boys and Attenders is not good. In paragraph 7, the petitioner has referred to the news published in 'The Hindu', dated March 6, 2007 with the title "Gandhi Hospital Worker Jumps to Death" and then averred that the conditions of mortuary is revolting inasmuch as the dead bodies are kept for hours and days together without proper refrigeration and the clothes of the deceased are burnt in the hospital premises.

We have heard the petitioner, who has appeared in person and perused his affidavit. The averments contained therein are not based on any enquiry or research conducted by him or expert group regarding the status of facilities available in various government hospitals in the State. The time gap of one day between the publication of news and filing of the writ petition i.e. 6th and 7th March, 2007 is strongly indicative of the petitioner's desire to get publicity by filing petition in the name of public interest litigation. If he had been serious in highlighting the lack of facilities in Gandhi Hospital and other government hospitals, the petitioner would have taken the trouble of going to the hospitals to find out the true status of the facilities available. Then he would have been in a position to highlight the deficiencies, if any and make a prayer for judicial intervention. In our considered view, the hot haste shown by the petitioner in filing the writ petition is sufficiently demonstrative of his desire to get cheap publicity in the name of public interest litigation. In **Balco Employees' Union (Regd.) v. Union of India**[1], **Guruvayoor Devaswom Managing Committee v. C.K. Rajan**[2], **Ashok Kumar Pandey v. State of West Bengal**[3], **Vikas Vashisth v. Allahabad High Court**[4] and **Dattaraj Nathuji Thaware v. State of Maharashtra**[5],

the Supreme Court has repeatedly cautioned the High Courts against the entertaining of publicity-oriented litigations, disposal of which results in substantial wastage of the Court's time.

For the reasons stated above, the writ petition is dismissed. However, liberty is given to the petitioner to file fresh petition after making a thorough fact finding enquiry in regard to the alleged deficiencies in Gandhi Hospital as also other government hospitals.

As a sequel to dismissal of the writ petition, WPMP.No.6172 of 2007 filed by the petitioner for interim relief is also dismissed.

G.S.SINGHVI, C.J.

9th March, 2007.

C.V.NAGARJUNA REDDY, J.

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[1] (2002) 2 SCC 333
[2] (2003) 7 SCC 546
[3] (2004) 3 SCC 349
[4] (2004) 13 SCC 485
[5] (2005) 1 SCC 590